

New Subsection C(3)(d): The election allowed under this Subsection (3) may be denied by the [State Agency] if the [State Agency] substantiates a tiered ownership structure was used with the principal purpose of permitting Indirect Resident Partners of such Partnership to avoid the imposition of the proper amount of [State] tax on their allocable share of adjustments. Only tiered ownership structures in which additional tiers have been created between the Partnership and its Indirect Partners after December 31, 2017 shall be subject to this clause. The [State Agency] must inform a Partnership of their intent to invoke this provision within 60 days following receipt of the Partnership's election. Any action taken under this provision by [State Agency] shall be appealable under [State statute governing appeals of State agency decisions]. Any reporting or payment time periods in this Section C will be extended a minimum of 60 days from the latter of the date this provision is invoked by [State Agency] or a final decision is rendered on a Partnership's appeal of such decision.